

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4277 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- ADAPUR District- East Champaran

Jokhu Paswan S/o Late Bhadai Paswan Resident of Village- Arara, P.S.-
Adapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with
Adapur P.S. Case No.253 of 2021, registered for the offences
punishable under Sections 376(D), 120(B) and 34 of the Indian
Penal Code.

Co-accused, Dhuman Sahni and Rabbe Alam are said to
have committed rape with the informant. It is alleged that the
petitioner was also present with the co-accused persons.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no criminal
antecedent as stated in paragraph-3 of the bail application. It is
further submitted that earlier the petitioner had filed a complaint
case against the SHO of Adapur police station and in that case



cognizance has been taken against the SHO and due to this reason the petitioner has falsely been implicated by the SHO of Adapur police station. It is submitted that name of father of the petitioner has not been mentioned in the FIR. It is further submitted that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has not stated that the petitioner has committed rape with her.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Adapur P.S. Case No.253 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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